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1/29/01
[Signature]

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD S. TILLMAN,

Plaintiff

v.

DONALD ROMINE, et al.,

Defendants

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CIVIL NO. 1:CV-00-2041

(Judge Caldwell)

FILED
HARRISBURG, PA

JAN 26 2001

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

MARY E. D'ANDREA, CLERK
PER *[Signature]*
DEPUTY CLERK

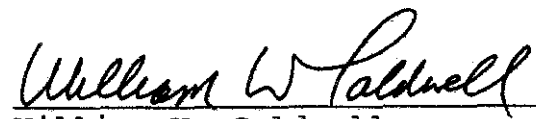
Ronald S. Tillman, an inmate confined in the United States Penitentiary, Lewisburg, Pennsylvania, filed this civil rights action pursuant to 28 U.S.C. § 1331. Presently pending before the court is plaintiff's motion requesting leave of court to file an amended complaint.

Since service of the original complaint was recently directed by order dated January 8, 2001, no responsive pleading has been filed; thus Tillman may submit an amended complaint as a matter of right. See Fed. R. Civ. P. 15(a). Consequently, plaintiff's motion, although unnecessary, will be granted.

Accordingly, this 26th day of January, 2001, it is ordered

that:

1. Plaintiff's motion requesting leave to file an amended complaint (Doc. No. 8) is granted.
2. Within twenty days of the date of this order, plaintiff may file an amended complaint. Any amended complaint must use the form complaint attached to this order.
3. If the plaintiff fails to submit a timely amended complaint, this action will proceed on the original complaint.


William W. Caldwell
United States District Judge

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. _____

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA_____
(Inmate Number)_____
(Name of Plaintiff)_____
(Address of Plaintiff)_____
vs._____
(Names of Defendants)_____
(Case Number)

COMPLAINT

TO BE FILED UNDER: ____ 42 U.S.C. § 1983 - STATE OFFICIALS

____ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

____ Yes ____ No

- B. Have you filed a grievance concerning the facts relating to this complaint?

____ Yes ____ No

If your answer is no, explain why not _____

- C. Is the grievance process completed? ____ Yes ____ No

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

A. Defendant _____ is employee
as _____ at _____

B. Additional defendants _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. _____

2. _____

3. _____

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite cases or statutes.)

1.

2.

3.

Signed this _____ day of _____, 19____.

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

(Date)

(Signature of Plaintiff)

Deputy Clerk